

REMARKS

The Examiner maintains the rejection to claims 1, 2, 7-9 and 14-20 under 35 USC 103(a) as unpatentable over Fuss, Toyoda, and Akimoto. The rejection is respectfully traversed for the reasons presented in the previously filed amendments, and for the following reasons.

Referring to the exemplary diagram attached to this communication, the distinction from the claimed invention over the applied references becomes apparent. In the applied prior art, an image is filtered based on various qualifications, and the final image is rendered based on this filtering. As the Examiner explains on page 4 of the office action, “where the color and contrast of a natural scene is judged and appropriate adjustment made to the image based on the judgment.” The claimed invention, on the other hand, requires that an image is first judged to determine whether filtering is appropriate. If it is determined (i.e. judged) that the image requires correction, then it is passed along for filtering. If, on the other hand, it is determined that no corrections is required, then the image is not filtered. This point is clarified by the amendment to each independent claim in the present application, which states “unless judged that correction is not necessary.”

Fuss, however, discloses an entirely different purpose for use of judge or arbiter 170 (fig. 2). Fuss assumes that correction is always required, and operates to avoid processors from being counter-productive. There is no mention of not correcting the image if determined no correction is necessary. Col. 6, lines 22-26 state “Judge or arbiter 170 operates to resolve conflicts in the TRC determination, so that processors 112, 122, 132 do not operate at cross purposes.” Judge or arbiter 170 does not operate to determine (i.e. judge) whether correction is or is not required, as required in the claimed invention. As the claimed invention states, for example in amended claim 1, correction processing is performed “unless judged that correction processing is not necessary.” Similarly, neither Toyoda nor Akimoto disclose this feature.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.325772009600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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